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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/575,387

Filing Date: May 14, 2007

Appellant(s): GAWEL ET AL.

Gawel et al
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/16/2010 appealing from the Office action mailed 1/20/2010.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 6 and 8-29

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

GB 2326505 A	PALMER	12-1998
US 2004/0018870 A1	COLE	1-2004
US 2004/0061284 A1	SATOH	4-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 6, 8-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer (GB 2326505 A) in view of Cole (US 2004/0018870 A1) and Satoh (US 2004/0061284 A1).

Re claims 6, 13. Palmer discloses a gaming machine comprising of a gaming machine cabinet (1) and front wall structure (i.e. doorframe) (7) hingedly attached thereto and pivotally movable around a substantially horizontal edge between an open position and a closed position (Page 4, lines 14-16), at least two display panels of peripheral devices (27 & 12; Page 8, lines 8-9) to be viewable through at least one opening (19: Fig. 1) in the front wall structure when it is in closed position, wherein the two display peripheral devices are positioned one above the other at an angle relative to each other (Page 3, line 17 - Page 4, line 6 & lines 19-21), and the front wall structure below the two display peripheral devices is provided with a game control panel (i.e. user press-buttons, 31) running from one edge of the front wall structure to the other or is inclined with respect to the two display peripheral devices (Page 8, line 16-17); and

Palmer discloses a display unit 27 being mounted to the cabinet 1 behind the upper panel 11 (Page 8, lines 8-9) & Fig.1 and display panel showing mechanical slot reels on the lower panel (Fig. 2). Palmer does not disclose having two display monitors affixed to said doorframe; however, substituting mechanical slot reels and having a

mounted monitor for a video display of the slot reels on a doorframe is notoriously well known in the art as evidence by Cole (Fig. 2 & 5), [0117].

At the time of invention a person of ordinary skill in the art would have found it obvious to modify Palmer in view of Cole to substitute a mechanical slot reels with an electronic video display monitor and mounting display monitors to the doorframe of gaming machine and would have been motivated to do so to create greater flexibility in the manner in which gaming machines may be upgraded.

Hence, both the display peripheral devices and the game control panel are simultaneously moved to the open position relative to said gaming machine cabinet upon opening of the doorframe to provide access for maintenance to back sides of the display monitors and game control panel and to interior components of the gaming machine cabinet.

Palmer does not disclose the doorframe to be pivotally movable around a substantially vertical edge between an open position and a closed position, but instead a horizontal edge. Satoh discloses that a cabinet door may be changed to open around a vertical axis rather than a horizontal axis or in other directions since it would still possible to be viewable by the technician (16: Fig. 2 & 6A).

At the time of invention a person of ordinary skill in the art would have found it obvious to modify the opening/closing of the doorframe to be about a vertical or horizontal axis according to designer's preference and would have been motivated to do so to have alternative opening direction.

Re claim 8. Cole discloses the display monitor can be a CRT monitor [0036].

Re claim 9, 14-16. Palmer discloses the doorframe comprises two separate open portals (19, 20: Fig. 1 & 2) with an obtuse angle there between to allow viewing of the two display monitors.

Re claim 10-11, 17-23. Palmer discloses the doorframe having more than one open portal to view said at least two display monitors, each open portal (19, 20: Fig. 1 & 2) has a pair of left and right sides being substantially equal in angle, and a pair of substantially horizontal top and base sides, and each open portal of said pair of left and right sides being at an obtuse angle to at least one other open portal of said pair of left and right sides when said doorframe is viewed from the front (Page 6, lines 16-19).

Palmer does not disclose having only one open portal instead of two for providing at least two display monitors. It would have been an obvious matter of design choice to modify Palmer's plural open portals (i.e. glass panels; 19, 20) to just one big open portal to display two monitors, since applicant has not disclosed that changing from two open portal to one open solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well to display the monitors with either having two small open portal for the two display monitors or one big open portal for the two display monitors.

Re claim 12, 24-25. Palmer discloses the access to the at least two display monitors is achieved only by opening said doorframe as can be seen in Fig. 1 & 2.

Re claim 26. Palmer discloses a gaming machine comprising: a gaming machine cabinet (1) and a front wall structure (i.e. doorframe) (7) hingedly attached thereto, said doorframe being pivotally moveable around a substantially horizontal edge between an

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open and closed position with respect to the gaming machine cabinet (Page 4, lines 14-16); multiple display panels in a horizontal contiguous relationship affixed to said doorframe (Page 8, lines 8-9) to be viewable through at least one opening (19: Fig. 1) in said doorframe when said doorframe is in a closed position, wherein each of said multiple panels is oriented at an obtuse angle with respect to the adjacent display panel (Page 3, line 17 - Page 4, line 6 & lines 19-21).

Palmer, Cole and Satoh teach the invention substantially as claimed above in claim 6, wherein Cole discloses the mounting of display panels to the front door and Satoh discloses that a cabinet door may be changed to open around a vertical axis rather than a horizontal axis or in other directions since it would still possible to be viewable by the technician (16: Fig. 2 & 6A). Palmer does not expressly disclose having at least three display panels; however Palmer does disclose the gaming device can have multiple display panels. Adding or decreasing the numbers of displays for the purpose of displaying more or less information is not patentability distinct from Palmer because it only involves routine skill in the art. At the time of invention a person of ordinary skill in the art would have found it obvious to modify Palmer to include three display panels and would have been motivated to do so to increase the amount of information being presented to the player.

Re claim 27. Palmer discloses a gaming machine comprising a gaming machine cabinet (1) and a front wall structure (i.e. doorframe) (7) attached thereto, at least two display monitors placed behind said doorframe at an interior space of said cabinet (Page 3, line 17 - Page 4, line 6 & lines 19-21) so as to be viewed through at least one

opening (19) in said doorframe, wherein said two display monitors are positioned one above the other at an obtuse angle relative to each other (i.e. 19 and 20 are positioned obtuse to each other; Fig. 1), and wherein said doorframe is provided below said two display monitors with a game control panel (i.e. user press-buttons, 31) extending laterally from one side edge of the doorframe to another side edge (Page 8, line 16-17), wherein said doorframe includes a rim extending upright alongside of the monitors (19, 20) and the game control panel (31), said rim having a straight edge along the entire doorframe height, and snugly fitting to the gaming machine cabinet (Fig. 1), wherein said hinge is affixed to the full length of said rim and an inner wall of the gaming machine cabinet and said hinge having a reinforcement (i.e. gas or hydraulic struts) to support the weight of the doorframe with the monitors and the game control panel affixed thereto (Page 4, line 14-16).

Palmer discloses a display unit 27 being mounted to the cabinet 1 behind the upper panel 11 (Page 8, lines 8-9) & Fig.1 and display panel showing mechanical slot reels on the lower panel (Fig. 2). Palmer does not disclose having two display monitors affixed to said doorframe; however, substituting mechanical slot reels and having a mounted monitor for a video display of the slot reels on a doorframe is notoriously well known in the art as evidence by Cole (Fig. 2 & 5), [0117].

At the time of invention a person of ordinary skill in the art would have found it obvious to modify Palmer in view of Cole to substitute a mechanical slot reels with an electronic video display monitor and mounting display monitors to the doorframe of gaming machine and would have been motivated to do so to create greater flexibility in

the manner in which gaming machines may be upgraded. Hence, both the display peripheral devices and the game control panel are simultaneously moved to the open position relative to said gaming machine cabinet upon opening of the doorframe to provide access for maintenance to back sides of the display monitors and game control panel and to interior components of the gaming machine cabinet.

Palmer does not disclose the doorframe to be pivotally movable around a substantially vertical edge between an open position and a closed position, but instead a horizontal edge. Satoh discloses that a cabinet door may be changed to open around a vertical axis rather than a horizontal axis or in other directions since it would still be possible to be viewable by the technician (16: Fig. 2 & 6A). At the time of invention a person of ordinary skill in the art would have found it obvious to modify the opening/closing of the doorframe to be about a vertical or horizontal axis according to designer's preference and would have been motivated to do so to have alternative opening direction.

Cole discloses the doorframe can be vertically hinged extending along the full length of one side of the doorframe (Fig. 2). Hence, the combination of Palmer with Satoh and Cole teach the doorframe to be vertically hinged extending along the full length of one side of the doorframe.

Re claim 28. Cole discloses the display monitor can be a CRT monitor [0036].

Re claim 29. The teachings of Palmer's angled plan orientation and Cole's mounting of monitor to the doorframe would result in the display monitors to define

respective planes oriented to each other at an angle and meeting at a vertex, said vertex being located behind the doorframe.

(10) Response to Argument

Re A. Claims 6 and 9-27 (specifically claim 6)

Appellant recognized Palmer does not disclose or suggest a doorframe pivotally movable around a vertical edge, but recognized Cole and Satoh does disclose a gaming machine cabinet with a vertically hinged door. Appellant argues that none of the cited references disclose or suggest (a) two display monitors fixedly attached to the doorframe and positioned on above the other at an obtuse angle.

Examiner affirms the rejection, as Palmer discloses having multiple display panels (11 & 20: Fig. 1), wherein behind each display panels comprises a display unit (27, page 8, lines 8-9) and slot reels (21, page 7, lines 15-19 & Fig. 2).

As mentioned in the rejection mailed 1/20/2010, page 3, Examiner recognized that the two display monitors of Palmer are not affixed or mounted to the front wall structure; however, Cole was introduced to teach it was known in the art to affix or mount the display monitor to the front wall structure of a gaming machine cabinet (Cole, 190: Fig. 5) and that it was also known to substitute mechanical slot reels for a video slot reels, wherein the video slot reel monitor is affixed or mounted to the front wall structure of the gaming machine cabinet (Fig. 2 & 5), [0117].

Appellant further argues none of the cited references discloses or suggest (b) a game control panel inclined with respect to the two display monitors positioned above it.

Examiner affirms the rejection. Please reference to Palmer, 31: Fig. 1 & page 8, lines 16-17. Palmer discloses that the bottom of the front frame structure comprises user press-buttons (i.e. game control panel) which is inclined with respect to the two display panels positioned above it.

Appellant's arguments are against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Appellant argues Palmer individually from Cole. However, the Examiner did not reject the claims stating Cole taught two display monitors being affixed or mounted to the front wall structure. Cole was only introduced to teach the concept of affixing or mounting a display monitor to a front wall structure of a gaming machine cabinet (Cole, 190: Fig. 5) and that it was also known to substitute mechanical slot reels for a video slot reels, wherein the video slot reel monitor is affixed or mounted to the front wall structure of the gaming machine cabinet (Fig. 2 & 5), [0117].

Palmer in view of Cole teaches two display monitors fixedly attached to the doorframe and positioned on above the other at an obtuse angle and a game control panel inclined with respect to the two display monitors positioned above it.

Re B. Claim 8

Appellant argues that Cole teaches away from using CRT monitors and prefers instead the use of LCD. Although in one embodiment, Cole prefers to use LCD

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monitors, however, it does not mean it is not obvious or known to use older technology of CRT monitors in replacement of LCD monitors affixed to the gaming cabinet.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Seng H Lim/

Examiner, Art Unit 3714

Conferees:

/Peter DungBa Vo/

Supervisory Patent Examiner, Art Unit 3714

/Dmitry Suhol/

Supervisory Patent Examiner, Art Unit 3716